

**PB# 90-55**

**McDONNELL SD**

**67-1-1**

MC DONNELL SUBDIVISION (KENNEDY) #90-55  
DEAN HILL ROAD (2 LOTS)

TOWN OF NEW WINDSOR  
PLANNING BOARD  
APPROVED COPY

DATE: 9-20-2005

# General Receipt

11764

**TOWN OF NEW WINDSOR**555 Union Avenue  
New Windsor, N. Y. 12550

November 30 19 90

Received of

MC Donnell Custom Builders \$ 25.00

Twenty - five and 00/100 DOLLARS

For

Planning Board Application Fee #90-55

DISTRIBUTION

FUND	CODE	AMOUNT
CR # 0001612		25.00

By Pauline H. Townsend

Town Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609

# General Receipt

11765

**TOWN OF NEW WINDSOR**555 Union Avenue  
New Windsor, N. Y. 12550

November 30 19 90

Received of

Pauline H. Townsend, Town Clerk \$ 300.00

Three Hundred and 00/100 DOLLARS

For

Planning Board Escrow - MC Donnell Custom Builders #90-55

DISTRIBUTION

FUND	CODE	AMOUNT
CR # 0001611		\$ 300.00

By

He Comptroller

Title

Williamson Law Book Co., Rochester, N. Y. 14609

Map Number 867-05 City NEW WINDSOR  
Section 67 Block 1 Lot 12 Town X Village X

Title: WILLIAM McDONNELL &  
MARGARET McDONNELL

Dated: 2-24-05 Filed 11-9-05

Approved by WILLIAM B. HEDGETH

on 11-20-05

Record Owner WILLIAM McDONNELL & MARGARET McDONNELL

DONNA L. BENSON  
Orange County Clerk

1 Sheet = \$10.50

RECORDED/FILED ORANGE COUNTY  
BOOK 02005 PAGE 0867  
11/09/2005 14:25:32  
FILE NUMBER 20050117918  
RECEIPT#496128 patti





PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/26/2005

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 90-55  
NAME: MC DONNELL SUBDIVISION  
APPLICANT: MC DONNELL, WILLIAM

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/29/1990	TWO LOTS @150.00 EA	PAID		300.00	
03/27/1991	P.B. ATTY. FEE	CHG	35.00		
03/27/1991	P.B. MINUTES	CHG	45.00		
02/23/2005	P.B. ATTY. FEE	CHG	35.00		
02/23/2005	P.B. MINUTES	CHG	33.00		
09/01/2005	P.B. ENGINEER	CHG	1052.70		
09/22/2005	REC. CK. #2256	PAID		900.70	
		TOTAL:	1200.70	1200.70	0.00

*[Handwritten signature]*  
9/27/05

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/26/2005

PAGE: 1

LISTING OF PLANNING BOARD FEES  
RECREATION

FOR PROJECT NUMBER: 90-55

NAME: MC DONNELL SUBDIVISION

APPLICANT: MC DONNELL, WILLIAM

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/09/2005	ONE LOT REC. FEE	CHG	2000.00		
09/22/2005	REC. CK. #2257	PAID		2000.00	
		TOTAL:	2000.00	2000.00	0.00

*W. Mc*  
*9/27/05*

P.B. # 90-55  
Approval fee

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#927-2005**

09/27/2005

McDonnell, William

Received \$ 360.00 for Planning Board Fees, on 09/27/2005. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/26/2005

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 90-55

NAME: MC DONNELL SUBDIVISION

APPLICANT: MC DONNELL, WILLIAM

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
09/20/2005	PLANS STAMPED	APPROVED
02/23/2005	P.B. APPEARANCE . LAND TO BE CONVEYED FROM THE TOWN PRIOR TO SIGNING OF MAPS	LA:ND WVE PH APPR
08/06/1991	WORK SESSION APPEARANCE . MAKE CHANGES AND SUBMIT: UPON NEW PLANS - NEXT AVAIL. AGENDA	MAKE CHANGES
05/14/1991	WORK SESSION APPEARANCE . REQUEST TOWN BOARD TO HAVE SHALE ROAD - RETURN WITH DECISION	NEED LETTER TO T.B.
03/27/1991	P.B. APPEARANCE	RETURN TO WORK SHOP
01/16/1991	P.B. APPEARANCE	SITE VISIT REQUIRED

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/26/2005

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 90-55

NAME: MC DONNELL SUBDIVISION

APPLICANT: MC DONNELL, WILLIAM

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	11/30/1990	MUNICIPAL HIGHWAY	/ /	
ORIG	11/30/1990	MUNICIPAL WATER	12/04/1990	APPROVED
ORIG	11/30/1990	MUNICIPAL SEWER	/ /	
ORIG	11/30/1990	MUNICIPAL SANITARY . NOT ENOUGH INFO. REGARDING WASTE DISPOSAL	11/30/1990	DISAPPROVED - SEWER IS AVAIL.
ORIG	11/30/1990	MUNICIPAL FIRE	12/05/1990	APPROVED
ORIG	11/30/1990	PLANNING BOARD ENGINEER	/ /	

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/26/2005

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**APPROVAL**

FOR PROJECT NUMBER: 90-55  
NAME: MC DONNELL SUBDIVISION  
APPLICANT: MC DONNELL, WILLIAM

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/09/2005	APPROVAL FEE	CHG	360.00		
09/22/2005	REC CK. #2255	PAID		360.00	
		TOTAL:	360.00	360.00	0.00



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## OFFICE OF THE PLANNING BOARD

September 9, 2005

William B. Hildreth, LS  
407 South Plank Road - Unit 3  
Newburgh, NY 12550

SUBJECT: MC DONNELL SUBDIVISION (90-55)

Dear Bill:

Please find attached printouts of fees due for subject project.

Please contact your client, the applicant, and ask that payment be submitted in separate checks, payable to the Town of New Windsor, as follows:

Check #1 - Approval Fee.....	\$	360.00
Check #2 - OVERAGE OF ESCROW FEES.....	\$	900.70
Check #3 - One Lot Recreation fee.....	\$	2,000.00

Upon receipt of these checks I will have the plans stamped and signed approved.

If you have any questions in this regard, please contact my office.

Very truly yours,

Myra L. Mason  
Myra L. Mason, Secretary To The  
NEW WINDSOR PLANNING BOARD

MLM

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/09/2005

PAGE: 1

LISTING OF PLANNING BOARD **FEE**  
**ESCROW**

FOR PROJECT NUMBER: 90-55  
NAME: MC DONNELL SUBDIVISION  
APPLICANT: MC DONNELL, WILLIAM

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/29/1990	TWO LOTS @150.00 EA	PAID		300.00	
03/27/1991	P.B. ATTY. FEE	CHG	35.00		
03/27/1991	P.B. MINUTES	CHG	45.00		
02/23/2005	P.B. ATTY. FEE	CHG	35.00		
02/23/2005	P.B. MINUTES	CHG	33.00		
09/01/2005	P.B. ENGINEER	CHG	1052.70		
			-----	-----	-----
		TOTAL:	1200.70	300.00	900.70



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/09/2005

PAGE: 1

LISTING OF PLANNING BOARD **FEE**  
**APPROVAL**

FOR PROJECT NUMBER: 90-55

NAME: MC DONNELL SUBDIVISION

APPLICANT: MC DONNELL, WILLIAM

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/09/2005	APPROVAL FEE	CHG	360.00		
			-----	-----	-----
		TOTAL:	360.00	0.00	360.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/09/2005

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**RECREATION**

FOR PROJECT NUMBER: 90-55

NAME: MC DONNELL SUBDIVISION

APPLICANT: MC DONNELL, WILLIAM

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/09/2005	ONE LOT REC. FEE	CHG	2000.00		
		TOTAL:	2000.00	0.00	2000.00

# TOWN OF NEW WINDSOR

## MINOR SUBDIVISION FEE SCHEDULE

APPLICATION FEE: \$ 75.00

ESCROW:

RESIDENTIAL:

\_\_\_\_ LOTS @ \$200.00 EACH LOT (FIRST FOUR LOTS) \$ \_\_\_\_\_

\_\_\_\_ LOTS @ \$100.00 EACH LOT OVER FOUR LOTS \$ \_\_\_\_\_

COMMERCIAL:

\_\_\_\_ LOTS @ \$500.00 EACH LOT (FIRST FOUR LOTS) \$ \_\_\_\_\_

\_\_\_\_ LOTS @ \$200.00 EACH LOT OVER FOUR LOTS \$ \_\_\_\_\_

TOTAL ESCROW DUE: \$ \_\_\_\_\_

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APPROVAL FEES:

PRE-PRELIMINARY PLAT APPROVAL \$ 100.00

PRELIMINARY PLAT APPROVAL \$ 150.00

FINAL PLAT APPROVAL FEE (\$100.00 + \$5.00/LOT) \$ 110.00

FINAL PLAT SECTION FEE \$ 100.00

TOTAL APPROVAL FEES: \$ 360.00

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RECREATION FEES:

1 LOTS @ <sup>2,000.00</sup>~~\$1,500.00~~ / LOT \$ 2,000.00

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TO BE DEDUCTED FROM ESCROW:

ESCROW POSTED: \$ \_\_\_\_\_

P.B. ENGINEER FEE \$ \_\_\_\_\_

P.B. ATTY. FEE \$ \_\_\_\_\_

MINUTES OF MEETING \$ \_\_\_\_\_

OTHER \$ \_\_\_\_\_

TOTAL DEDUCTION: \$ \_\_\_\_\_

REFUND: \$ \_\_\_\_\_

AMOUNT DUE: \$ \_\_\_\_\_

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PERFORMANCE BOND AMOUNT \$ \_\_\_\_\_

INSPECTION FEE:

2% PRIVATE IMPROVEMENTS \$ \_\_\_\_\_

4% PUBLIC IMPROVEMENTS \$ \_\_\_\_\_

HISTORICAL CHRONOLOGICAL JOB STATUS REPORT

JOB: 97-56 NEW WINDSOR PLANNING BOARD (chargeable to Applicant)  
TASK: 90- 55

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK-NO	REC	DATE	TRAN	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
90-55	59454	08/28/90	TIME	MJE	MC McDONNELL	60.00	0.20	12.00			
90-55	59466	09/04/90	TIME	MJE	MC McDONNELL	60.00	0.40	24.00			
90-55	59635	01/08/91	TIME	MCK	CL McDONNELL SUB	25.00	1.00	25.00			
90-55	59639	01/08/91	TIME	MJE	MC McDONNELL SUB	65.00	0.50	32.50			
90-55	59915	03/25/91	TIME	MJE	MC McDONNELL	65.00	0.40	26.00			
90-55	59919	03/26/91	TIME	MJE	MC McDONNELL	65.00	0.10	6.50			
90-55	59925	03/26/91	TIME	MCK	CL R/C McDONNELL SUB	25.00	1.00	25.00			
90-55	59927	03/27/91	TIME	MJE	MC McDONNELL	65.00	0.30	19.50			
								170.50			
90-55	59780	03/02/91			BILL MJE INV. #91-188						-93.50
											-93.50
90-55	60109	05/14/91	TIME	MJE	MC McDONNELL	65.00	0.40	26.00			
								26.00			
90-55	60307	06/26/91			BILL INV 91-373						-103.00
											-103.00
90-55	60598	08/06/91	TIME	MJE	MC McDONNELL	65.00	0.30	19.50			
								19.50			
90-55	61108	10/24/91			BILL MJE INV 91-579						-19.50
											-19.50
90-55	67146	02/04/93	TIME	MCK	CL LTR-MCDONNELL MINOR	25.00	0.50	12.50			
								12.50			
90-55	68449	05/17/93			BILL 93-298						-12.50
											-12.50
90-55	111943	09/17/97	TIME	MCK	CL LTR MCDONNELL SUB	28.00	0.50	14.00			
90-55	112036	09/18/97	TIME	MJE	MC McDONNELL LTR CHARGES	75.00	0.50	37.50			
								51.50			
90-55	112606	09/30/97			BILL 97-912 10/10/97						-51.50
											-51.50
TASK TOTAL								280.00	0.00	-280.00	0.00
GRAND TOTAL								280.00	0.00	-280.00	0.00

\* MYRA \*

280  
+ 772.70  
-----  
\$1052.70

McDonnell  
90-55

## CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 90- 55

FOR WORK DONE PRIOR TO: 08/30/2005

TASK-NO	REC	DATE	TRAN	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	EXP.	DOLLARS BILLED	BALANCE
90-55	152080	10/11/00	TIME	MJE	MC McDONNELL TC/CHURCH	80.00	0.30	24.00			
								24.00			
90-55	159620	02/28/01			BILL 01-340 3/27/01					-24.00	
										-24.00	
90-55	184185	06/05/02	TIME	MJE	WS McDONNELL SUB	88.00	0.40	35.20			
90-55	190310	09/13/02	TIME	MJE	MC McDONNELL ISSUES	88.00	0.30	26.40			
90-55	191240	09/27/02	TIME	MJE	MC REV McDONNELL FILE	88.00	0.30	26.40			
90-55	191241	09/27/02	TIME	MJE	MC DISC McDONNELL W/SUB	88.00	0.20	17.60			
90-55	191242	09/27/02	TIME	MJE	MC TC/IRABE McDONNELL	88.00	0.30	26.40			
								132.00			
90-55	193078	10/24/02			BILL 02-1231					-132.00	
										-132.00	
90-55	195036	11/19/02	TIME	MJE	MC TC/IRABE RE McDONNELL	88.00	0.30	26.40			
90-55	195037	11/19/02	TIME	MJE	MC ENG/ATTY RE McDONNELL	88.00	0.30	26.40			
90-55	195767	12/04/02	TIME	MJE	MC LTR TO McDONNELL ATTY	88.00	0.50	44.00			
								96.80			
90-55	197806	12/31/02			BILL 03-182 1/15/03					-96.80	
										-96.80	
90-55	198279	01/21/03	TIME	MJE	MC TC/IRABE RE McDONNELL	95.00	0.20	19.00			
90-55	201765	03/12/03	TIME	MJE	MC McDONNELL REV HAPPIN	95.00	0.50	47.50			
90-55	201766	03/12/03	TIME	MJE	MC McDONNELL DROP OFF	95.00	0.50	47.50			
								114.00			
90-55	204361	04/16/03			BILL 03-483					-114.00	
										-114.00	
90-55	237648	06/28/04	TIME	MJE	MC TC/IRABE RE McDONNELL	99.00	0.30	29.70			
90-55	242291	07/14/04	TIME	MJE	MC DISC McDONNELL SUB	99.00	0.20	19.80			
90-55	242292	07/16/04	TIME	MJE	MC McDONNELL SUB W/IRABE	99.00	0.50	49.50			
								99.00			

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSO

TASK: 90- 55

FOR WORK DONE PRIOR TO: 08/30/2005

										DOLLARS	
TASK-NO	REC	DATE	TRAN	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
90-55	249919	10/08/04			BILL 04-1148					-99.00	
										-99.00	
90-55	253152	11/03/04	TIME	MJE	WS McDONNELL SUB DEAN	99.00	0.40	39.60			
90-55	253892	11/09/04	TIME	MJE	MC REVIEW WEN McDONNELL	99.00	0.40	39.60			
90-55	256870	12/07/04	TIME	MJE	PM McDONNELL SUB W/DAC	99.00	0.40	39.60			
90-55	257270	12/22/04	TIME	MJE	MC BAC/PAC-McDONNELL PUR	99.00	0.30	29.70			
90-55	257943	12/28/04	TIME	MJE	PM McDONNELL W/DAC	99.00	0.20	19.80			
								168.30			
90-55	257315	12/29/04			BILL 04-1410					-148.50	
										-148.50	
90-55	263127	02/09/05	TIME	MJE	MC HILDEETH McDONNELL	99.00	0.30	29.70			
90-55	264029	02/15/05	TIME	MJE	MC McDONNELL SUB	99.00	0.30	29.70			
90-55	264066	02/16/05	TIME	MJE	PM McDONNELL W/DAC	99.00	0.20	19.80			
90-55	264129	02/18/05	TIME	MJE	MC McDONNELL SUB	99.00	0.50	49.50			
90-55	264928	02/23/05	TIME	MJE	MM McDONNELL Cand APPD	99.00	0.10	9.90			
								138.60			
90-55	268014	03/18/05			BILL 05-423					-158.40	
										-158.40	
TASK TOTAL								772.70	0.00	-772.70	0.00
GRAND TOTAL								772.70	0.00	-772.70	0.00

REGULAR ITEMS: (CONTINUED)

MC DONNELL SUBDIVISION (90-55)

Mr. Bill Hildreth appeared before the board for this proposal.

MR. PETRO: Application proposes subdivision of 2.47 acre parcel into two single family residential lots. The plan is before the board for conditional final approval. This project is one of the grandfathered applications. The approval of the project has been delayed over the years while Dean Hill Road realignment dedication was accomplished, as well as the resulting need for a land conveyance from the Town to the applicant to gain frontage on the new road. That explains why you're making two lots out of 2 1/2 acres. The application has been before the board since early 1991.

MR. HILDRETH: Planning board number is 1990 something.

MR. PETRO: Okay, so do I go to you if I want to have something done quickly?

MR. HILDRETH: Probably not. I wasn't involved in it originally, I picked this up at the tail end. The original plan was also for two lots, I brought a copy of it just in case there's a couple people that weren't here 15 years ago when this started. Same scale so from across the room you can see it's basically the same scheme, it's still two lots, the only changes are when this original one was proposed there was no water available so it was wells and sewer. We now have water and sewer available and Dean Hill Road is not developed, that was also an issue that delayed this, Dean Hill has been developed, the Town picked up this piece across Forest Glenn, half of that has now been taken over by the Benedict Pond development and the Town is in contract now with McDonnell to sell them

this portion, so combined it's now 2.4 whatever divided up into two, the previous zoning is what's been--

MR. PETRO: Once you picked up that piece you'll have the adequate frontage on Dean Hill Road?

MR. HILDRETH: Correct, more than adequate, yes. I had no idea where this board stands with SEQRA or anything.

MR. PETRO: We do.

MR. ARGENIO: Start over?

MR. PETRO: No, I know where it is. Planning board will assume lead agency, motion to that effect.

MR. ARGENIO: I'll make a motion we assume lead agency.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the McDonnell minor subdivision on Dean Hill Road. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MASON	AYE
MR. MINUTA	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Planning board has a right to waive the public hearing under discretionary judgment under Section 257-13A of the subdivision regulations whereas we're creating one new lot and it's permitted in the zone, this is R-4?



MR. HILDRETH: R-3.

MR. PETRO: Permitted use in the zone?

MR. BABCOCK: Yes.

MR. PETRO: Creating one new lot, I personally don't believe we need a public hearing, I'll entertain any thoughts from the board members.

MR. MASON: I agree. I'll make a motion to waive the public hearing.

MR. MINUTA: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing under its discretionary judgment for the McDonnell minor subdivision. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MASON	AYE
MR. MINUTA	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: We don't have any wetlands in the area?

MR. HILDRETH: No, the topographic you can see it slopes from left to right across Dean Hill Road frontage.

MR. PETRO: You don't think you'll have a major traffic impact by creating this lot?

MR. HILDRETH: We're across the street from 100 lot subdivision, I don't think so.

MR. PETRO: So I'll entertain a motion for--

MR. ARGENIO: Motion we make a negative dec under the SEQRA process for the McDonnell subdivision.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare a negative dec under the SEQRA process for McDonnell minor subdivision on Dean Hill Road. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MASON	AYE
MR. MINUTA	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Mark, is there any reason we can't go forward with this for now?

MR. EDSALL: No and I was hopeful that we'd be able to close out this old application, comment 3 lists three recommended conditions.

MR. PETRO: We have fire approval on 12/5/1990, it's from the old plan.

MR. ARGENIO: Any business with Henry with the driveway culverts or anything?

MR. PETRO: Has fire seen this?

MR. EDSALL: I added a note to Mr. Argenio as pursuant to some discussions with Mr. Kroll.

MR. ARGENIO: I see it, Mark, note should be added to the plan stating details for the construction of the--driveway access will be in accordance with the driveway superintendent.

MR. HILDRETH: Can I do this verbatim, that's what you want?

MR. EDSALL: Yes.

MR. ARGENIO: Whatever he needs he's going to get.

MR. PETRO: You realize that the conveyance of the land to the Town of New Windsor is a necessity before I sign the plans?

MR. HILDRETH: Yes and everybody else does and contracts are in the hopper, they're going back and forth. I have correspondence from the applicant's attorney.

MR. EDSALL: Just so the record is clear, I spoke with Mr. Crotty and he felt that it would be appropriate for the board to move forward, just have this as a condition.

MR. PETRO: Okay.

MR. ARGENIO: I'll make a motion for final approval subject to Mark's three bullets, completion and conveyance from the Town of New Windsor to the applicant, the note I just read about the highway superintendent and the payment of all fees, subject to those three items.

MR. SCHLESINGER: Second it

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the McDonnell minor subdivision on Dean Hill Road with the

three subject-tos that Mr. Argenio just read into the minutes. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MASON	AYE
MR. MINUTA	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. MCGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

**MAIN OFFICE**

33 AIRPORT CENTER DRIVE

SUITE 202

NEW WINDSOR, NEW YORK 12553

(845) 567-3100

FAX: (845) 567-3232

E-MAIL: MHENTY@MHEPC.COM

**WRITER'S E-MAIL ADDRESS:**

MJE@MHEPC.COM

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** McDONNELL MINOR SUBDIVISION  
**PROJECT LOCATION:** DEAN HILL ROAD  
SECTION 67 - BLOCK 1 - LOT 1  
**PROJECT NUMBER:** 90-55  
**DATE:** 23 FEBRUARY 2005  
**DESCRIPTION:** THE APPLICATION PROPOSES THE SUBDIVISION OF THE 2.47 +/-  
ACRE PARCEL INTO TWO (2) SINGLE-FAMILY RESIDENTIAL LOTS.  
THE PLAN IS BEFORE THE BOARD FOR CONDITIONAL FINAL  
APPROVAL.

1. The project is one of the "grandfathered" applications. The approval of the project has been delayed over the years while the Dean Hill Road realignment and dedication was accomplished, as well as the resultant need for a land conveyance from the town to the applicant to gain frontage on the new road.
2. The application has been before the board since early 1991. The record is somewhat unclear as to status for public hearing and SEQRA. As such, I recommend:
  - The Planning Board assume the position of Lead Agency under the SEQRA review process.
  - The Planning Board waive the Public Hearing per their discretionary judgement under Section 257-13 (A) of the Subdivision Regulations.
  - The Planning Board classify this action and "unlisted action" under SEQRA, and make a "negative declaration" determination regarding environmental significance.


**REGIONAL OFFICES**

- 507 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

3. I recommend the Board approve the minor subdivision subject to the following conditions:

- Completion of the conveyance of land from the Town of New Windsor to the applicant, in conformance with the requirements of the Town Supervisor and Town Attorney.
- A note should be added to the plans stating that the details for the construction of the driveway accesses will be in accordance with the requirements of the Town Highway Superintendent.
- Payment of all fees.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

MJE/st  
NW90-55-23Feb05.doc



RESULTS OF P.B. MEETING OF: February 23, 2005

PROJECT: McDonnell Sub. P.B. # 90-55

**LEAD AGENCY:**

AUTHORIZE COORD. LETTER: Y      N       
TAKE LEAD AGENCY: Y ☒ N     

M) AS) 5 VOTE: A 5 N 0  
CARRIED: Y ✓ N   

**NEGATIVE DEC:**

M) AS) 5 VOTE: A 5 N 0  
CARRIED: Y ☒ N ☐

**PUBLIC HEARING:**                      **WAIVED:**                      **CLOSED:**

M) M S) S VOTE: A 5 N 0 SCHEDULE P.H.: Y     N ✓

SEND TO O.C. PLANNING: Y\_\_\_\_  
SEND TO DEPT. OF TRANSPORTATION: Y\_\_\_\_

REFER TO Z.B.A.: M) S) VOTE: A N

RETURN TO WORK SHOP: Y N

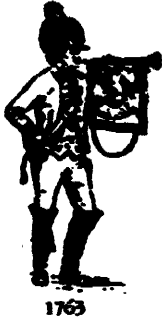
**APPROVAL:**

M) A S) 5 VOTE: A 5 N 0 APPROVED: 2/23/05

NEED NEW PLANS: Y ☒ N ☐

**CONDITIONS – NOTES:**

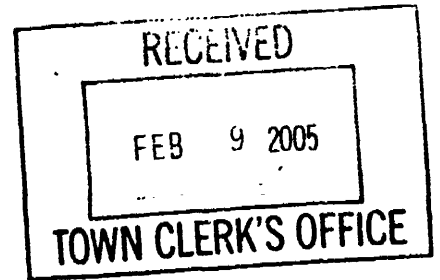
Text to be conveyed before plan signed



# TOWN OF NEW WINDSOR

cc: P/Bd.

**TOWN CLERK'S OFFICE**  
555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (845) 563-4611  
Fax: (845) 563-4670



## REQUEST FOR PUBLIC RECORDS

Date: February 9, 2005

Name: Frank Simone

Address: 46 W. Livingston Ave  
Sharon NY 10901-0177

Phone: (845) 357-2660

Representing: Bill & Marge Mc Donnell

### **Please specify:**

- Property location (street address or section, block and lot number)
- Department you are requesting records from
- Describe information requested as fully as possible

Planning Board minutes, correspondence & notes

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Documents may not be taken from this office.**





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4630  
Fax: (845) 563-4692

## Attorney for the Town

December 7, 2004

Mr. & Mrs. William McDonnell  
1131 Sharpshooter Road  
Moretown, VT 05660

Re: McDonnell from Town of New Windsor

Dear Mr. & Mrs. McDonnell:

In order to effectuate a sale of the piece of property located on Dean Hill Road from the Town of New Windsor we will need to accomplish the following:

1. OK by the Highway Superintendent and Town Engineer
2. Agree on a purchase price proposed by the Assessor and agreed to by the Town.
3. Enter into a contract that I will prepare for the Town Supervisor to sign.
4. Obtain from your surveyor a metes and bounds description of the enlarged parcel with the new piece included.
5. Lot line change approval by Planning Board.
6. A permissive referendum that I will handle.
7. Set forth in the deed that the Town will retain a utility easement
8. Closing at this office and payment in full.

This letter is preliminary and not binding in any way on the Town. I suggest you retain an attorney for this matter.

Please let me know if you are interested in proceeding.

Very truly yours,

  
Philip A. Crotty

Attorney for the Town of New Windsor

Cc: George J. Meyers, Supervisor  
Henry Kroll, Highway Superintendent  
✓ Dick McGoe, Engineer  
Mark Edsall, Engineer

**Margaret L. McDonnell, CPA/ABV, CVA**  
1131 Sharpshooters Road  
Moretown, VT 05660  
(802) 496-6683  
(802) 496-6685 (fax)

June 9, 2004

Mr. Bill Hildreth  
Grevas & Hildreth, P.C.  
407 South Plank Road  
Unit 3  
Newburgh, NY 12550

Re: Two-lot Subdivision, Dean Hill Road, New Windsor, NY

Dear Bill:

In accordance with our recent telephone conversations, please advise me at your first convenience when you expect to complete our subdivision map.

If you recall, I contacted you last summer, shortly after you had finished mapping the lot adjoining ours. At that time, you agreed to prepare an updated subdivision map to accompany our pending subdivision application, and I forwarded the information from my file.

Our application has been pending before the town for quite some time, and I am anxious to finish the project.

I look forward to hearing from you. Thanks for your help.

Sincerely,

SL

Margaret L. McDonnell

cc: Mark J. Edsall, P.E.  
✓ cc: Town of New Windsor Planning Board  
cc: Town of New Windsor Attorney's Office  
cc: Michael Kraiza, Esq.

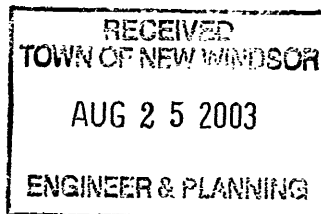
**William and Margaret McDonnell**

**1131 Sharpshooter Road**

**Moretown, VT 05660**

**(802) 496-6483 (h)**

**(802) 651-7274 (w)**



August 21, 2003

Mark J. Edsall, P.E.  
MgCoegy, Hauser & Edsall  
33 Airport Center Road  
Suite 202  
New Windsor, NY 12553

Re: Subdivision, Dean Hill Road, New Windsor

Dear Mark: We are writing you regarding the subdivision map for the two-lot subdivision on Dean Hill Road, which is currently pending before the Planning Board.

I am pleased to report that Bill Hildreth, of Grevas & Hildreth, P.C., has agreed to prepare an updated subdivision map of our proposed two-lot subdivision on Dean Hill Road. Grevas & Hildreth prepared the maps for the property abutting ours to the north, and is familiar with the area.

If you recall, our subdivision application is quite old and was long-delayed as a result of the town's re-alignment of Dean Hill Road. We have been assured by the town that our application will be grandfathered and deemed complete upon submission of a subdivision map showing the re-aligned road. We are doing our best to move the project along, but, as I am sure you are aware, attorneys and surveyors have been extremely busy.

By copy of this letter, I am informing the Town's Planning Board, as well as the Attorney's Office and Michael A. Kraiza, our counsel, so that all parties will be aware of the status of our application process.

Very truly yours,  
William and Margaret McDonnell

We look forward to the successful conclusion of this project.

Sincerely,

*s/*

Margaret L. McDonnell

cc: Bill Hildreth

✓cc: Town of New Windsor Planning Board

cc: Town of New Windsor Attorney's Office

cc: Michael Kraiza, Esq.

To Mark Edsall & New Windsor  
Planning Board -

May 27, 2003 -  
Hand-delivered  
to Town  
Offices

I have finally received a map from The Town (through Mike Kraja, Esq.) showing the ~~proposed~~ abandoned piece on Dean Hill Road which abuts ~~our~~ our property. I am in the process of retaining a surveyor to prepare a map to present to The Board. Unfortunately, everyone is very busy, but I am trying my best to expedite the process. I will request a workshop meeting or hearing date as soon as I know when I will have a map in hand.

If there is anything else I can be doing at this stage of my subdivision application please let me know.

**RECEIVED**

MAY 27 2003

**BUILDING DEPARTMENT**

SECTION 67 BLOCK 1 LOT 1

Sincerely,  
Margaret McDonnell  
802-651-7274 (w)

**MICHAEL A. KRAIZA**

*Attorney at Law*  
563 Temple Hill Road  
New Windsor, New York 12553

Telephone: (845) 562-6500  
Facsimile: (845) 562-6788  
email: NYLAWYERS@compuserve.com

November 7, 2002

Mr. George Meyers, Supervisor  
TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12553

RE: TOWN OF NEW WINDSOR to MCDONNELL

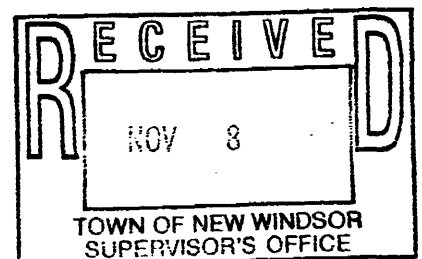
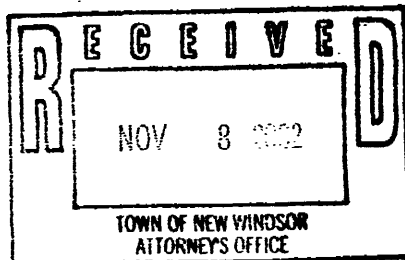
Dear Mr. Meyers:

I represent Margaret McDonnell in the hopes of purchasing the abandoned roadbed of Dean Hill Road located next to the Forest Glen subdivision. I have tried to contact Mr. Richard McGoey twice in this matter and have not received a call back from him. Therefore, Bruce Dunn, an Attorney in the building where I am located, suggested that I call him directly.

Please give me a call at your earliest convenience regarding this matter.

Very truly yours,

*Michael A. Kraiza*  
Michael A. Kraiza, Esq.  
Extension 305



11/8 Let's meet A  
in KRAIZA  
he needs to  
Deal w/Phil

**MICHAEL A. KRAIZA**

*Attorney at Law*  
563 Temple Hill Road  
New Windsor, New York 12553

Telephone: (845) 562-6500  
Facsimile: (845) 562-6788  
email: NYLAWYERS@compuserve.com

November 7, 2002

Mr. George Meyers, Supervisor  
TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12553

RE: TOWN OF NEW WINDSOR to MCDONNELL

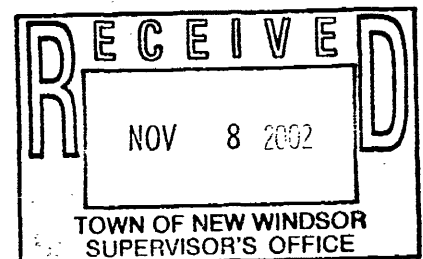
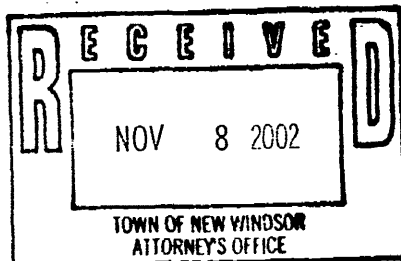
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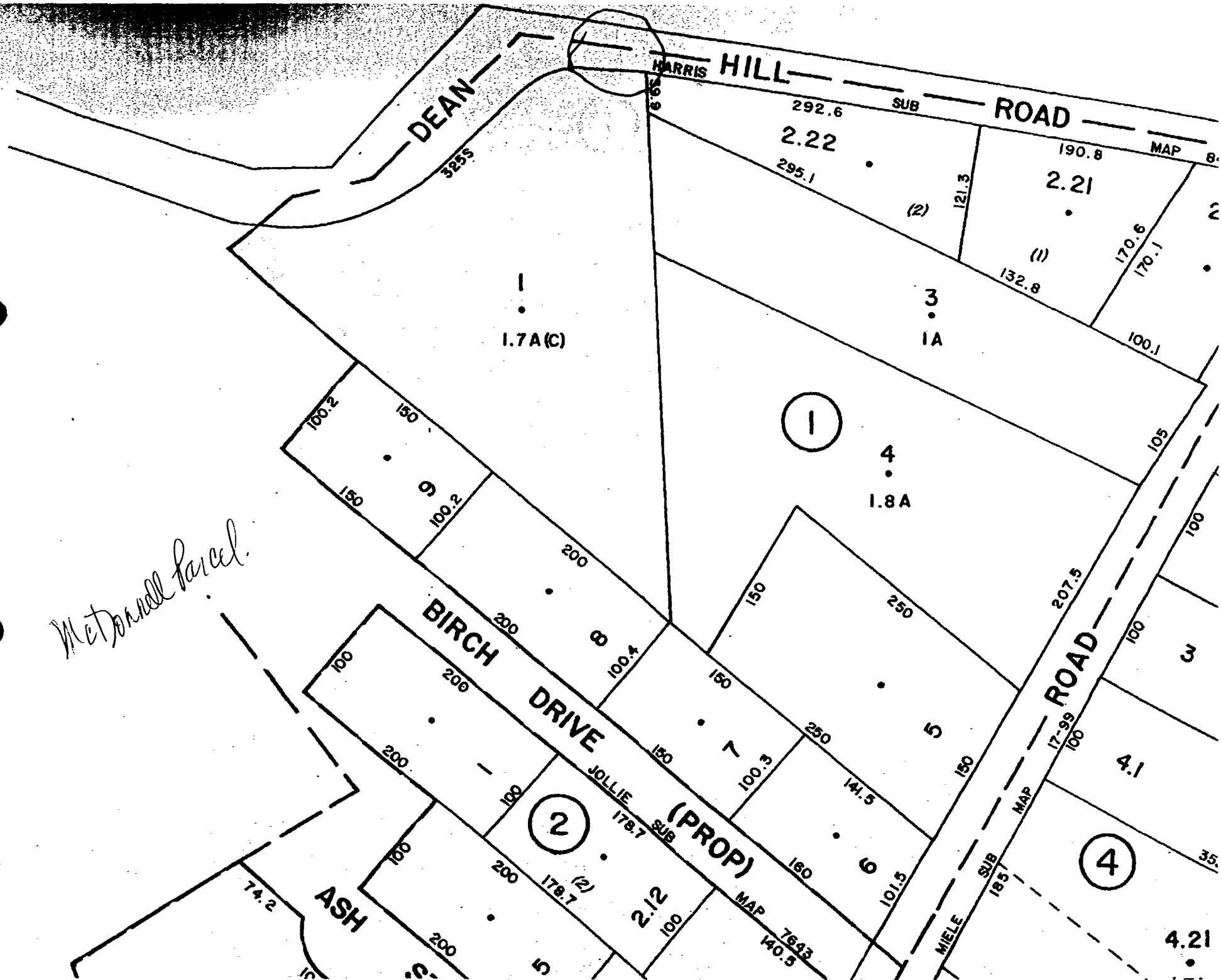
Please give me a call at your earliest convenience regarding this matter.

Very truly yours,

*Michael A. Kraiza*  
Michael A. Kraiza, Esq.  
Extension 305



11/8 Let's meet A  
in KRAIZA  
he needs to  
Deal w/Phil





LANDS OF  
SDL DEVELOPMENT CORP.

5/8" IRON ROD AT THE  
STONE WALL INTERSECTION

LANDS OF  
W.E.M. McDONNELL  
LIBER 2659, PAGE 11  
67-11

Old Dean Hill Road

Relocated Dean Hill Road

PINE VIEW

GRANT CURB (TYP.)

PROP. 40' WIDE UTILITY  
EASEMENT IN FAVOR OF THE  
TOWN OF NEW WINDSOR  
(0.266 ACRES)

LIMITS OF LANDS TO BE CONVEYED, WITH FULL INTEREST  
TO THE CENTER OF OLD DEAN HILL ROAD, TO SDL  
DEVELOPMENT CORP. (Shaded Area)  
(0.391 ACRES)

LIMITS OF PARCEL OF FOREST GLEN SUBDIVISION  
TO BE CONVEYED TO THE TOWN OF NEW WINDSOR  
(0.419 ACRES)

Schedule B

LANDS OF  
W.E.M. McDONNELL  
LIBER 2659, PAGE 11  
67-1-1

5/8" IRON ROD AT THE  
STONE WALL INTERSECTION

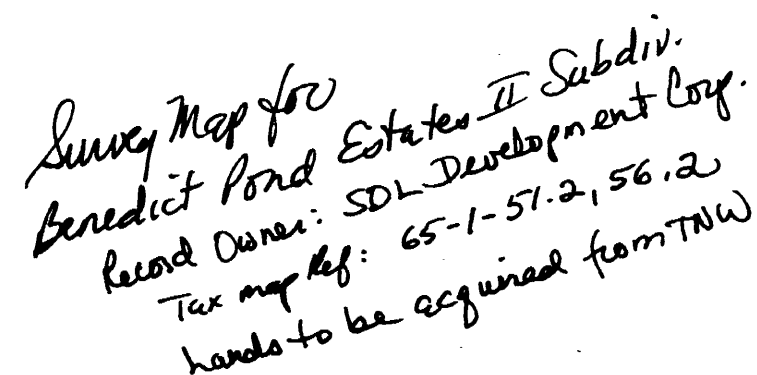
GRANIT CURB (TYP.)  
PINE VIEW

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- LIMITS OF PARCEL OF FOREST GLEN SUBDIVISION  
TO BE CONVEYED TO THE TOWN OF NEW WINDSOR  
(0.419 ACRES)







# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## Engineer for the Town

4 December 2002

Mr. Michael A. Kraiza  
Attorney at Law  
563 Temple Hill Road  
New Windsor, NY 12553

SUBJECT: McDONNELL - DEAN HILL ROAD (P.B. APP. 90-55)

Dear Mr. Kraiza:

Your client has had an open application with the planning board since 1990. The application was maintained in an open status due to the ongoing efforts between the Town and another developer to cause the improvements of Dean Hill Road, including the area in front of your property.

Over the past 12 +/- years we have had discussions with your client and her former attorney. We recently received a copy of a letter you wrote to Supervisor Meyers. Thereafter, I attempted to contact you twice by phone, both times reaching a recording, which indicated messages could not be left. I then sent you an e-mail on November 19<sup>th</sup> and asked that you contact me, as I am the Town's representative working on this issue.

Please discuss this matter with your client and take action to move the application forward. Should no activity occur on the application prior to the regular planning board meeting on February 12, 2003, we will understand that you do not intend to pursue the application, and I will recommend that the board deem the application inactive, at which time any "grandfathered" zoning status will be lost.

Very truly yours,

*Mark J. Edsall, P.E.*  
Mark J. Edsall, P.E.  
Engineer for the Town

*Sent 12/19/02*



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

☐ **Main Office**

33 Airport Center Drive  
Suite #202  
New Windsor, New York 12553  
(845) 567-3100  
e-mail: mhenry@mhepc.com

☐ **Regional Office**

507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhapa@mhepc.com

**Writer's E-mail Address:**  
mje@mhepc.com

**PLANNING BOARD WORK SESSION**  
**RECORD OF APPEARANCE**

**TOWN/VILLAGE OF:** New Windsor

**P/B APP. NO.:** 90-55

**WORK SESSION DATE:** 3 Nov 04

**PROJECT:** NEW      OLD X

**REAPPEARANCE AT W/S REQUESTED:**     

**RESUB. REQ'D:**     

**PROJECT NAME:** McDonnell

**REPRESENTATIVES PRESENT:** WBH

**MUNICIPAL REPS PRESENT:**

BLDG INSP.	<u>    </u>
ENGINEER	<u>X</u>
P/B CHMN	<u>    </u>

**FIRE INSP.**       
**PLANNER**       
**OTHER**     

**ITEMS DISCUSSED:**

get rite to WBH re  
drainage not to flood

W/ff to meet w/ GM +  
Phil

8<sup>th</sup> Dec

change b/lks to reflect  
water

prep description

**STND CHECKLIST:**

**DRAINAGE**     

**DUMPSTER**     

**SCREENING**     

**LIGHTING**     

(Streetlights)

**LANDSCAPING**     

**BLACKTOP**     

**ROADWAYS**     

**APPROVAL BOX**     

**PROJECT**  
**TYPE**

**SITE PLAN**

**SPEC PERMIT**

**L L CHG.**

**SUBDIVISION**

**OTHER**

**PROJECT STATUS:**

**ZBA Referral:**      Y X N

**Ready For Meeting** X Y      N

**Recommended Mtg Date** 12-8-04

CHARLES P. OBREMSKI

ATTORNEY AT LAW  
321 MAIN STREET  
POST OFFICE BOX 547  
CORNWALL, NEW YORK 12518  
TELEPHONE 914-534-9500

September 10, 1997

Myra Mason  
Town of New Windsor Planning Board  
555 Union Avenue  
New Windsor, New York 12553

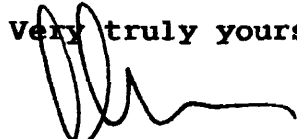
Re: McDonnell Minor Subdivision  
PB# 90-55

Dear Ms. Mason:

I write on behalf of Margaret McDonnell of Fayston, VT who with her husband had submitted a plan for a two lot subdivision on Dean Hill Road, Town of New Windsor. At the time of the initial application there were a number of issues, including road completion, which held up the application process.

My clients would like to know if the Town of New Windsor has any plans to upgrade and finish Dean Hill Road so that their application can be reopened and pursued to conclusion.

Very truly yours,



CHARLES P. OBREMSKI

P.O. Box 995  
Fayston, VT 05673

September 1, 1997

Charles P. Obremski, Esq.  
P.O. Box 547  
Cornwall, NY 12518

Re: McDonnell Minor Subdivision  
New Windsor Planning Board #90-55

Dear Mr. Obremski:

Confirming our recent telephone conversation, you will check with the New Windsor Planning Board to determine the status of our two-lot subdivision on Dean Hill Road.

Several years have gone by since we last spoke with the town. Dean Hill Road is unimproved for a short distance near our property, and it was the town's position that we would have to post a bond to upgrade this town road before a subdivision would be approved.

We have noticed that the town has put water along Dean Hill. Sewer already exists. At one time, the town stated its intention to straighten Dean Hill Road near the vicinity of our property.

We have paid to have all the engineering and mapping done for the subdivision and would like to see it to a successful conclusion. We would like to know what plans, if any, the town has for Dean Hill Road, and what its position is with respect to granting a subdivision.

By carbon copy of this letter, I am alerting the town that we are interested in pursuing this subdivision and would like to remain on the Board's agenda.

Thank you for your assistance. We look forward to hearing from you.

Sincerely,

S/  
Margaret L. McDonnell 802-496-6683

✓ cc: Myra L. Mason, Secretary  
Planning Board

9/10/97 @



May 1, 1993

Ms. Myra Mason  
Town of New Windsor Planning Board  
555 Union Avenue  
New Windsor, New York 12553

Re: Harris/Johnson variance  
Section 67 Block 1, Box 2.22

Dear Ms. Mason:

My wife and I own Lot 1, Block 1, Section 67 on Dean Hill Road and are abutters to the above parcel. We have received notice of the May 10, 1993 hearing for a variance and would like to express our concerns.

As you know, we have applied for a two-lot subdivision of our parcel. During a site visit in March of 1991, the planning board noticed debris and apparent dumping taking place on what they thought was our lot. As it turned out, this debris was located on the Harris/Johnson parcel. We would hope that any variance would be granted subject to the removal and cleaning up of this debris, if it has not already been taken care of.

Dean Hill Road is not paved for the entire length of our property, and our subdivision has been delayed for this reason. I believe a portion of the Harris/Johnson parcel fronts on an unpaved portion of Dean Hill Road as well. It is our understanding that town law requires a bond to be posted so the town road can be brought up to town road sub base specifications before any construction can begin. I am wondering whether the planning board will require the Harris/Johnson lot to post a bond for road improvement before granting a variance.

In the event we are not able to be at the meeting or have a representative there, I will be in touch with you to learn the outcome of the variance request.

Very truly yours,

William McDonnell

cc: Charles P. Obremski, Esq.

cc: Pat Kennedy, L.S.





**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

**4 February 1993**

**Charles P. Obremski, Esq.**  
**P.O. Box 547**  
**Cornwall, New York 12518**

**SUBJECT: McDONNELL MINOR SUBDIVISION**  
**NEW WINDSOR PLANNING BOARD NO. 90-55**  
**MHE JOB NO. 87-56**

**Dear Mr. Obremski:**

I have received a copy of your letter dated 27 January 1993, with regard to the subject application made to the Town of New Windsor Planning Board. In response to your inquiry regarding the status of the project and the next appropriate action to be taken by your client, I provide the following information, based on my review of the application file on record at the Town of New Windsor Planning Board office:

1. A review of the Planning Board minutes indicates that, at the regular Planning Board meeting held on 27 March 1991, your client (or their authorized representative) were advised that it was necessary to determine an appropriate bond amount for the improvement of the roadway necessary to service the proposed subdivision lots. The Planning Board records do not indicate any response/submittal in this regard.
2. Subsequent to the aforementioned Planning Board meeting, the Project Surveyor, Patrick Kennedy, L.S., has indicated that a discussion occurred at the 15 May 1991 Planning Board Technical Work Session, wherein the undersigned discussed with Mr. Kennedy, the possible alternative of improving the roadway to subbase requirements only, waiving the requirement to install finished pavement courses. This alternative appeared worthy of further discussion, since there currently is a proposal before the Town Planning Board and Town Board for the realignment of Dean Hill Road in the McDonnell project area, which would result in the abandonment of the section of the roadway being proposed on the McDonnell plan to service the proposed McDonnell subdivision lots. Inasmuch as this waiver and agreement is not within the authority of the Planning Board to grant, Mr. Kennedy wrote the Town Supervisor on 13 June 1991 to propose this alternative.

- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ **Branch Office**  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

4 February 1993

3. Supervisor George A. Green issued a letter to Mr. Kennedy (dated 6/6/91) indicating his individual concurrence with the proposal, noting that the final determination must be one made by the entire Town Board. In line with this requirement, he advised Mr. Kennedy that the matter was scheduled for the 15 July 1991 Town Board Work Session, at which time the proposal could be further discussed.
4. It is our understanding that the matter was discussed at the referenced Town Board Work Session; however, the Planning Board has not received any information regarding an agreement reached between the Applicant and the Town Board. As such, the Planning Board is currently awaiting such documentation, such that the Applicant can reappear before the Planning Board and proceed with the pending application.

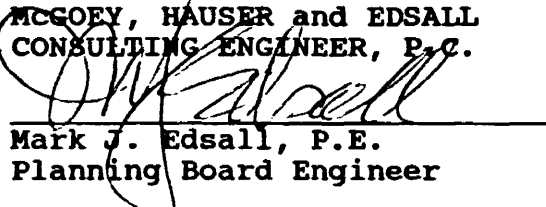
Please contact your client or their authorized consultants to determine the status of the above, or any further developments regarding the application. Subsequent to same, the Planning Board would appreciate your making the Board Members aware of any agreements which may have been reached, as well as the current status of the outstanding items, such that an appropriate reappearance at a Planning Board meeting can be scheduled.

It should also be noted that previous reviews of the subdivision plan required certain corrections and additions to same; these should be addressed prior to scheduling the Planning Board reappearance. As always, the Planning Board Technical Work Session is available, such that these items, referenced above, can be reviewed informally, rather than at the regular public meeting of the Planning Board.

If you have any questions concerning the above, please do not hesitate to contact the undersigned.

Very truly yours,

MCGOEY, HAUSER and EDSALL  
CONSULTING ENGINEER, P.C.



---

Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

cc: James Petro, Planning Board Chairman

A:OBREMSKI.mk

CHARLES P. OBREMSKI

ATTORNEY AT LAW  
321 MAIN STREET  
POST OFFICE BOX 547  
CORNWALL, NEW YORK 12518  
TELEPHONE 914-534-9500

January 27, 1993

Myra Mason  
Town of New Windsor Planning Board  
555 Union Avenue  
New Windsor, New York 12553

Re: Subdivision Application for McDonnell  
File No. 90-55

Dear Ms. Mason:

I write on behalf of Margaret McDonnell, who in 1990 made application for a two lot subdivision for lands on Dean Hill Road, New Windsor. The last activity on this application was in April 1991.

Mrs. McDonnell would like to go forward with this application, and I would appreciate your advising me of the status of the application, and what will be required to pursue and conclude the matter. I thank you in advance for your attention to this request.

Very truly yours,

  
CHARLES P. OBREMSKI

2/3/93 - Mark to send letter.

MC DONNELL SUBDIVISION (90-55) DEAN HILL ROAD

Mr. Patrick Kennedy came before the Board representing this proposal.

MR. VAN LEEUWEN: Unless it's cleaned up, I don't think we should even look at it because the land is a disgrace.

MR. SCHIEFER: Give him our comments officially on this.

MR. PAGANO: I haven't had a chance to see it.

MR. VAN LEEUWEN: It's a garbage dump, am I right or not?

MR. SCHIEFER: There's a little bit of stuff lying in here.

MR. KENNEDY: I have not been up there lately.

MR. VAN LEEUWEN: How can you survey it if you didn't go up there?

MR. KENNEDY: I have not been up there lately. We haven't been on this property probably a year and a half.

MR. SCHIEFER: I'd like you to take a look at it, some of the things you are going to hear tonight if you go up there, you'll understand. It's a mess.

MR. KENNEDY: Is there a lot of recent dumping? The owners don't even live in the State anymore.

MR. VAN LEEUWEN: Before I make another comment on it, I want to see it cleaned up.

MR. KENNEDY: That's fine.

MR. PAGANO: We have another map here that shows nothing. The map should show us where the other dwellings are that may be impacted by this development and other than--

MR. KENNEDY: There's nothing here. This is a proposed subdivision here. That's a proposed realignment of this road and these houses are out here all the way out.

MR. PAGANO: I'd like to see something where the houses are.

MR. SCHIEFER: There are no houses here.

MR. KENNEDY: We have nothing within hundreds of feet of the site.

MR. SCHIEFER: There's something else that doesn't exist here and I want to point out Dean Hill Road doesn't exist. It's a proposed road but there really is no road there.

MR. KENNEDY: This is a road that was there a long time ago. We realize this is the biggest thing we have been over with Mark a lot of what's going to happen in the future is going to happen when and if the town takes over whatever they do with this subdivision. This is actually been graded and cut through at one time. They are proposing totally taking out this loop. Part of our discussion with Mark and the town and the attorney I guess and everybody else before was when this gets taken over, what happens with this? Is the town going to abandon it? Do we then extend the driveways? There's a lot involved with what's happening.

MR. SCHIEFER: Can you keep the side conversations down? I can't even follow what's going on up here.

MR. KENNEDY: The Purdy/Townsend subdivision proposes to go realign Dean Hill Road as part of their whole subdivision approval. When they do that, the town at that time supposedly will take over that road.

MR. VAN LEEUWEN: What are we going to do with the piece in the middle?

MR. EDSALL: It's generally understood that the road that exists now right in front of or the easement however you want to look at it, in front of this property, would be maintained as a sewer easement but not a town road.

MR. KENNEDY: That's the existing Dean Hill Road.

MR. EDSALL: So, they could either, we could either convince the Townsend/Purdy group to transfer the southerly portion to these people or the town will just have a wider dedication in that location because we don't want to have a black hole between the old and new roads.

MR. VAN LEEUWEN: It's going to create a dumping ground for everybody.

MR. SCHIEFER: It has created a dumping ground. It's already there.

MR. KENNEDY: The Husted subdivision already abutts up to the existing right-of-way. When they dedicate this road, if they left this as separate lot, they'd be creating an illegal lot so they can't, they're going to have to dedicate something from here to the existing right-of-way from there so that will be town land. From there depends on how the town will be handling that.

MR. VAN LEEUWEN: I think what's got to be done is that's got to be investigated and the land has to be cleaned up because it's in terrible condition. There's junk laying all over the place, used car parts, you name it it's laying there and until I see it cleaned up and this center piece handled that we have a letter from somebody saying which way it's going to go.

MR. EDSALL: Just for the record, Husted/Townsend/Purdy plans show everything from the well to the south of their proposed road as being part of the road dedication.

MR. SCHIEFER: Until this is cleaned up and until this road issue is resolved, I don't see what we're really going to approve. I have no objection to this but the first of all it's got to be cleaned up. Secondly, I want some kind of resolution where is that road going to be.

MR. BABCOCK: When this was approved for the road relocation, I'm sure all this stuff was taken into consideration because that lot always existed back there. I think what I would suggest is that what the Planning Board approved several years ago when you guys approved the road relocation, it had to be addressed at that time. Somehow somehow.

MR. EDSALL: Basically, what I'm saying when we ran out of paper is the Board's preliminary approval of Husted/Townsend/Purdy did not create a separate lot to the south of the new Dean Hill Road. It was just a flared out dedication and that dedication in effect makes it possible for these people to have access to the town road. Maybe we should just look at the plan.

MR. PAGANO: The tax map is the official map. Can't we go, is that the tax map?

MR. EDSALL: It won't reflect the subdivision because Husted/Purdy is not approved. If you can pay attention

for a short second. This portion here, if it was created as a new lot, would be an illegal lot so the approved plan shows this whole area in the dished portion that's against this subdivision, McConnell subdivision is going to be town. That means that you have not cut anyone off. So, it's not a problem.

MR. MC CARVILLE: Why couldn't we identify the town road which is where the sewer is.

MR. EDSALL: The sewer is there.

MR. KENNEDY: It's in the existing right-of-way. That's an existing sewer line.

MR. EDSALL: And that's the existing quote road and it's passable with 4-wheel drive, not with 2-wheel. This is the relocated road. This road will likely be abandoned.

MR. MC CARVILLE: The most sensible thing would be to develop sale of this property from Husted/Purdy to these lot owners.

MR. KENNEDY: They're still town between them.

MR. EDSALL: But that's something that I suggest when Purdy comes back you discuss with them.

MR. SCHIEFER: It would make everything simpler what you're suggesting these two lots acquire this land, whether it's from the town or from Purdy.

MR. EDSALL: Town can't give it away.

MR. MC CARVILLE: You can identify where you want your road to be and then they can buy the--

MR. EDSALL: You have not flexibility. Husted/Purdy is not approved yet.

MR. SCHIEFER: They are going to give it away. Now, is there anyway this is probably going to be given away by Husted/Purdy? Is there anyway that your client can acquire this and bring this out here and we'll know there's a road going through because right now, you're asking for approval on a road--

MR. KENNEDY: To acquire that, you're going to have to create the lot, first to create the lot, you're creating an illegal lot. What they are proposing on this--

MR. SCHIEFER: What about a lot line change?

MR. KENNEDY: We can't do a lot line change, Dean Hill Road is already a town road. We have already got town land between us.

MR. SCHIEFER: But this is not even to become a road.

MR. KENNEDY: It's a town right-of-way. The town would have to abandon that right-of-way now for us to get across it. It's town land.

MR. VAN LEEUWEN: We sit here and look at this, let's lay the cards on the table, that's poor, poor planning.

MR. KENNEDY: What's poor planning? We've got an existing road.

MR. SCHIEFER: Dividing a road that's not going to exist.

MR. KENNEDY: We have an existing piece of land, whether the pavement is built or not, we have an existing piece of land on an existing town road, town right-of-way. We can extend pavement to reach here. When these were built in here, pavement was made to reach them. We can extend to reach us. We do have a problem of what's going to happen here. When the town abandoned this, we'll probably have to extend the driveway possibly to reach this road, I mean there are things, you know, but this situation here exists. You have an existing lot on an existing town road.

MR. VAN LEEUWEN: That is on a paper town road.

MR. SCHIEFER: it's worse than a paper town road, it's a road that's not going to be through because we have already approved this one.

MR. MC CARVILLE: Seems to me I have heard that before tonight.

MR. VAN LEEUWEN: I suggest Patrick the first thing you do is get the people to clean the junk up.

MR. KENNEDY: That's fine, I'll contact them right away.

MR. VAN LEEUWEN: Until then, I don't think we should go any further.



MR. SCHIEFER: Let them be aware that we have a problem.

MR. KENNEDY: We have an existing town road. It's not a paper road. This was a town road.

MR. VAN LEEUWEN: Until the dump is cleaned up, I'm not going to go any further.

MR. SCHIEFER: Once it's cleaned up but we still have a problem. Be aware we have a problem and if this is existing town road or not, we know it's going to be abandoned. We know they are going to go here and I find it difficult to subdivide something that I know is going to change.

MR. VAN LEEUWEN: So you have answer, Pat.

MR. KENNEDY: No, I'm not sure I have an answer.

MR. VAN LEEUWEN: First let's get it cleaned up and then we'll talk. That's first and foremost.

MR. SCHIEFER: If those two things are resolved, one of them I know you can. The other one I recognize the problem.

MR. MC CARVILLE: I agree it should be cleaned up but we owe Pat some type of a workable solution here.

MR. SCHIEFER: Clean it up, that's without saying but after it's cleaned up, are you going to approve a subdivision on a road, on a paper road that you know is going to be abandoned?

MR. PAGANO: He could.

MR. KENNEDY: I don't know that that road is going to be abandoned. Didn't we discuss that?

MR. EDSALL: I believe from all the discussions I have had with everyone involved, is that the road will be abandoned and it will be maintained as a sewer easement. Only I don't think the town wants two roads through one small area.

MR. SCHIEFER: I recognize your problem but be aware of what we have got going here.

MR. MC CARVILLE: Why don't we give this the same consideration we gave these people down here that we're looking at down off of Route 300. You got an identical situation. You got a piece of lot for all

practical purposes that's landlocked because they have no frontage. You have a situation where a town road is going to be built, okay, and we just went through this with the first thing on the agenda. All of a sudden we can't do it.

MR. SCHIEFER: What we did is they gave us an easement through there so they have access to the existing road. Eventually, that will change. That's how we resolved that on.

MR. MC CARVILLE: This isn't going to change.

MR. EDSALL: There's a significant difference just so we have it on the record, so we're not setting a precedent. The new lot that was created on the Kumstar/Sperry is proposed to be created has frontage on a State highway. You're not creating any new lots internal. The only thing you're doing is correcting a landlocked parcel in this case. Your actually creating a new lot that has no access other than to the paper road.

MR. SCHIEFER: Which we feel is going to be abandoned.

MR. DUBALDI: How are they going to get out of that one?

MR. SCHIEFER: Once we approve, they are--

MR. KENNEDY: If you approve a subdivision on a proposed town road, they can't build until the road gets extended to them. We have an existing town right-of-way should they choose to build on the lot now as a single lot, they'll have to extend the existing pavement to reach the property as other people down Dean Hill have already done in the past. If they choose to build now and don't want to wait five years for the other road to be built, they can build by extending the pavement on the existing town road.

MR. MC CARVILLE: When we did a subdivision on Birch Street, that was a paper road. It wasn't built. There was nothing there but a sewer easement and yet we approved a two lot subdivision on Birch Street which I believe is right off of Riley Road. Do you remember that Henry?

MR. PAGANO: You're taking it out of context. You're comparing apples and oranges here. We had a road, Temple Hill Road that we can give them access to.

MR. MC CARVILLE: I'm talking about Birch Street. You know where Birch is? It's off of Piley Road. That's another one that we approved and it's a paper street. Do you know where Birch Street is?

MR. PAGANO: I don't know where it is.

MR. MC CARVILLE: Then I don't know what you're talking about. If you don't know where the place is, I don't know how you can say it is out of context.

MR. PAGANO: It's easy out of context.

MR. EDSALL: I think you're only, if you're going to make an analogy, you have to make an analogy that it's similar to Macnary in that you have got an apparent right-of-way but no guarantee that the road will be built. They are not offering to post a bond to effect the public improvements and we have no guarantee that the town is going to move in there and construct the improvements. If anything, it's like Macnary.

MR. KENNEDY: It's way different. The town doesn't own the right-of-way of Macnary.

MR. EDSALL: The one section that has the six lots that we always come back to, that's a dedicated road.

MR. VAN LEEUWEN: That was never dedicated.

MR. EDSALL: That short six lots I believe is.

MR. BABCOCK: It wasn't built. It was offered for dedication.

MR. KENNEDY: You have a separate owner on that piece and the rest of it you have a separate owner.

MR. VAN LEEUWEN: Owned by two private owners and nothing is dedicated.

MR. BABCOCK: Just an offer of suggestion, the 25 foot piece of property that belongs to the Town of New Windsor, that shows the old road, what if that was kept as an easement, the property lines continued right on out and the property being dedicated or once this property is dedicated to the town, given to these lots.

MR. SCHIEFER: That's what I have asked the applicant to do, extend this up here and get an easement.

MR. BABCOCK: And just keep an easement for the sewer line.

MR. SCHIEFER: I'd be much more willing to vote on something like that, knowing this is coming out to this road.

MR. KENNEDY: We can't, it doesn't exist. I can't buy that piece. We'd be creating something that we can't create right now.

MR. SCHIEFER: Right now, you could acquire this but this is still town road. Until that disappears, what can the applicant do?

COUNCILMAN ERNIE SPIGNARDO: The town will have to eventually abandon that piece of property when Purdy puts his road through there so that's the only way he's going to get access to the property.

MR. SCHIEFER: Until then?

COUNCILMAN SPIGNARDO: Only thing you can do is give him a subdivision now still can't build until he has access to it.

MR. KENNEDY: They can build if they extend the existing pavement on the existing Dean Hill.

MR. EDSALL: Are you saying that McDonnell is willing to construct the road up to town specs?

MR. KENNEDY: I'm not sure if they have any plans on immediate construction here.

MR. VAN LEEUWEN: He's asking you a different question. He's asking you and we're asking you, okay, or I'm asking you is the applicant willing to bring that piece of road up to town specs in front of those two lots?

MR. KENNEDY: If they need building permits, yes. If they wanted a building permit as a single lot as it is now, they'd have to do that.

MR. VAN LEEUWEN: Then I suggest that they, we get some bond prices and get some bonding done and then we'll discuss the two lot subdivision. Those things all have to be coincided.

MR. SCHIEFER: They are just having trouble resolving it.

MR. VAN LEEUWEN: You know what's going to happen to the center piece, it's going to be a dump for the town to take care of.

MR. KENNEDY: That's not true because then at that time, if the town abandons everything from the new road down, it becomes part of those two lots.

MR. SCHIEFER: When that happens, I'll be very happy, then I have no problem. I don't think we can take any action beyond that.

MR. EDSALL: Having dealing with Frank Purdy extensively, because of the situation with the water and we're trying to work things out to help him progress, I think Frank is a very reasonable and agreeable person, if he was approached and asked to make the dedication. Now, since it's inevitable that it's going to be dedicated, he'd go along with it. I'm sure this applicant agreed to extend the road up to the front of their lots and once that's complete, I'm sure the Town Board has no problem abandoning the section they really don't want. It could be done before Husted/Purdy has any approvals.

MR. KENNEDY: Can they dedicate it when the road is not built yet?

MR. EDSALL: You're applicant would have to bond the short section just to build the short section.

MR. KENNEDY: Instead of building the other part, they'd have to do that part.

MR. BABCOCK: Right.

MR. SCHIEFER: Extend out to the road that will exist and clean it up.

MR. KENNEDY: Everybody understands that no arguments on that.

MR. SCHIEFER: That's it then.



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
(914) 565-8800  
FAX 914-565-1142

OFFICE OF THE SUPERVISOR

June 17, 1991

Mr. Patrick T. Kennedy, L.S.  
Professional Land Surveyor  
335 Temple Hill Road  
New Windsor, NY 12553


Dear Pat,

I am writing in reply to your letter of June 13, 1991 regarding the McDonnell Subdivision.

Although I am in concurrence with Mark Edsall's remedy to the McDonnell's dilemma, I do believe the proposal should be agreed upon by the entire Town Board.

I have placed this item on the workshop agenda of July 15, 1991. If this date is inconvenient for you or your clients, please contact Debbie in my office to reschedule. You should check with Debbie on the 15th to get an approximate time.

Very truly yours,

  
George A. Green  
Supervisor  
Town of New Windsor

GAG/dg

cc: Town Board Members  
Mark Edsall, Engineer for the Planning Board

CC T/B  
M. Edsal

# Patrick T. Kennedy, L.S.

PROFESSIONAL LAND SURVEYOR  
335 TEMPLE HILL ROAD NEW WINDSOR, NEW YORK 12550  
(914) 562-6444

1

June 13, 1991

George Green, Supervisor  
Town Hall  
555 Union Avenue  
New Windsor, New York 12550

Re: Subdivision of lands for William & Margaret  
McDonnell, Dean Hill Road, Town of New  
Windsor

Dear George:

I represent the McDonnells on the above referenced project. They are trying to do a two-lot minor subdivision on the south side of Dean Hill Road, off the Riley Road end, a couple of hundred feet west of the existing end of pavement.

This project is directly across from the proposed Purdy, Townsend and Husted subdivision at the point where they going to realign the road. This will pull the road further away from my clients project which will require them to extend their driveways at such time that the road is accepted by the Town.

However, the question is what do we do to give the McDonnells legal road access at this time?

The Planning Board indicated that they felt it would be silly to have them pave a road in the old right of way and felt she should build it in the new right of way, and that she should bond construction of the new road in the new right of way across the length of her lands.

This, however, creates a problem. She cannot build or bond a road across lands not belonging to her or belonging at this time to the Town. The right of way will not belong to the Town until such time that Purdy, Townsend and Husted dedicate it and there is no guarantee that this will happen in the near foreseeable future.

Mark Edsal, who realizes this problem, suggested at the May 15th Planning Board Workshop that she be required to build or bond a road up to the sub-base ground level to the width of the existing pavement of Riley Road through the existing Town right of way. Bob Rodgers, who was also at that meeting fle this to be adequate for emergency service.

George Green, Supervisor

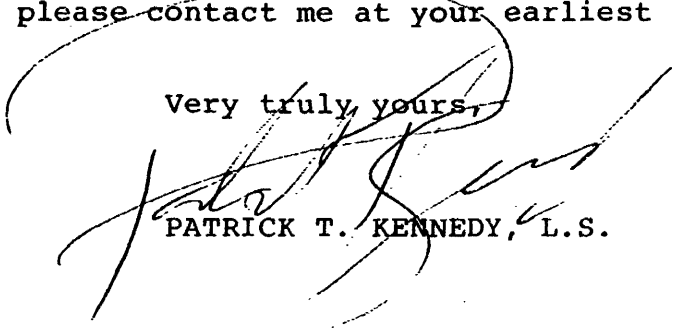
-2-

JUNE 13, 1991

Mark suggested I write to you and the Town Board in hopes you would accept this proposal.

If you would like me to come to a Board Workshop to review this project, please contact me at your earliest convenience.

Very truly yours,

  
PATRICK T. KENNEDY, L.S.

PTK:mmt



P.O. Box 995  
Waitsfield, Vermont 05673  
April 24, 1991

Chairman, Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, New York 12550

Re: Section 67, Block 1, Lot 1  
1.97 acre lot, Dean Hill Road, New Windsor, NY

Gentlemen:

On July 26, 1988, my husband and I retained Pat Kennedy to subdivide the above parcel into two lots. I am enclosing a copy of my letter to him of even date for your information.

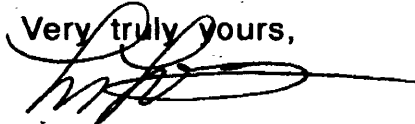
Mr. Kennedy advised me that on the day of the site visit, the planning board members erroneously looked at the parcel abutting ours, which is strewn with bricks and other debris, and indicated that they would not act until the property was cleaned up. He also stated that no members of the planning board sit in on the workshop sessions, which are mandatory. I find each of these two statements extremely hard to believe.

During my last conversation with him, Mr. Kennedy advised that the town will require us to be bonded and pave Dean Hill Road up to our access. I also find this difficult to believe.

As noted in my letter to Mr. Kennedy, we are prepared to bring legal action against him and/or the town to win subdivision approval unless good cause can be shown why this subdivision should not be granted as presented.

I look forward to your written response.

Very truly yours,



Margaret L. McDonnell

cc: Patrick T. Kennedy, L.S.

P.O. Box 995  
Waitsfield, Vermont 05673  
April 24, 1991

Patrick T. Kennedy, L.S.  
219 Quassaick Avenue, Suite 5  
Squir Village Shopping Center  
New Windsor, New York 12550

Re: Section 67, Block 1, Lot 1  
1.97 acre lot, Dean Hill Road, New Windsor, NY

Dear Pat:

On July 26, 1988, you were retained by us to subdivide the above parcel into two lots. You were given a large deposit and assured us that this would not be a difficult project.

After several telephone calls to you, you advised us that our application had been submitted to the Town on September 1, 1988. Workshops began on September 4, 1990. In November of 1990, you requested we send you \$25.00 for the Town's application fee and \$300.00 for the Town Engineer, which we did by return mail.

When I last spoke to you in March, 1991, you told me that a site visit had been done, changes would have to be made, and the Town would expect us to be bonded and pave the town road leading to our access on Dean Hill Road before the subdivision would be approved.

I serve two different planning boards in Vermont and believe I am somewhat familiar with procedures. I am at a loss to understand the latest developments on this project. How can a town require a landowner to be bonded and pave a town road? How can the town force a landowner to pave a town road which will in all likelihood be moved? As I told you, we have no plans to develop this parcel, but wish to do a simple subdivision without variances or adjustments.

We are extremely unhappy with the service we have been receiving from your firm. It takes many calls to your office to receive a return telephone call, and you never initiate status updates on your own. I have often called the town offices directly out of frustration, and even stopped by on my last trip south (prior to stopping to see you).

Patrick T. Kennedy, L.S.

April 24, 1991

Page two

Please be advised that unless significant progress is made on this subdivision, or good reason is shown why the subdivision has not been finalized, by May 31, 1991, we will initiate legal action through our New York counsel to resolve this matter.

Very truly yours,

Margaret L. McDonnell

✓cc: New Windsor Planning Board



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

- ☐ Main Office  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ Branch Office  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 90-55  
WORK SESSION DATE: 6 August '90 APPLICANT RESUB.  
REAPPEARANCE AT W/S REQUESTED: No REQUIRED: New Plan  
PROJECT NAME: McDonnell Sub.  
PROJECT STATUS: NEW \_\_\_\_\_ OLD X  
REPRESENTATIVE PRESENT: Pat K. &  
MUNIC REPS PRESENT: BLDG INSP. (UK)  
FIRE INSP. pbh  
ENGINEER X  
PLANNER \_\_\_\_\_  
P/B CHMN. \_\_\_\_\_  
OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- need memo from Sany re prop in sewer district
- Fix bulk tables
- procedural problems—
- next avail agenda
- after new plans

4MJJE91 pbwsform



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)  
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640  
PORT JERVIS (914) 856-5600

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

Licensed in New York,  
New Jersey and Pennsylvania

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN OF New Windsor P/B #      -       
WORK SESSION DATE: 16 Jan 1990 APPLICANT RESUB.  
REAPPEARANCE AT W/S REQUESTED: Yes. REQUIRED: full off.  
PROJECT NAME: Mc Donnell Subdiv (2 lot)  
PROJECT STATUS: NEW X OLD       
REPRESENTATIVE PRESENT: Pat K  
TOWN REPS PRESENT: BLDG INSP. X  
FIRE INSP. X  
ENGINEER X  
PLANNER       
P/B CHMN.       
OTHER (Specify)     

10/10/11

**ITEMS TO BE ADDRESSED ON RESUBMITTAL:**

- Opposite HTP on dog leg section of Dean Hill Rd.
- Leave house as shown - if reloc. of road occurs as part of HTP, bldg plans & setbacks will change
- add Frontage Ht. Civ Area Dist Eng.
- gravel top - show M/H elevs.
- app'l box
- note no Bldg Permits <sup>for lot 1 or 2</sup> until Dean Hill is paved & prop access is a rail to each lot.
- served by munic sewer. - show lateral
- verify in district

3MJEB9



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)  
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MARK J. EDSALL, P.E.

Licensed in New York,  
New Jersey and Pennsylvania

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

*new*

TOWN OF New Windsor P/B #      -     

WORK SESSION DATE: 4 Sept 90 APPLICANT RESUB.  
REQUIRED: Yes full.

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: McDonnell

PROJECT STATUS: NEW      OLD     

REPRESENTATIVE PRESENT: Pat K

TOWN REPS PRESENT: BLDG INSP. Dino  
FIRE INSP. Pick  
ENGINEER X  
PLANNER       
P/B CHMN.       
OTHER (Specify)     

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

*MJE*  
*check*

sewer line on old lean hill - to be  
replaced w/ new

show new lean hill - ref HTP plan  
if incl. in W08 - will correct

Gave P. Kennedy copy of HTP Plan 9/4/90 @  
3MJE89

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board  
FROM: Town Fire Inspector  
DATE: 5 December 1990  
SUBJECT: McDonnell Subdivision

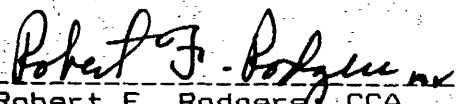
PLANNING BOARD REFERENCE NUMBER: PB-90-55  
DATED: 28 November 1990

FIRE PREVENTION REFERENCE NUMBER: FPS-90-110

A review of the above mentioned subdivision of land was conducted on 4 December 1990.

This subdivision is acceptable.

PLANS DATED: 15 September 1990; Revision 1.

  
Robert F. Rodgers, CCA  
Fire Inspector

RR:mr  
Att.

✓  
cc: M.E.

NOV 28 1990

Orig

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, ~~SANITARY INSPECTOR~~,  
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW  
FORM:

The maps and plans for the Site Approval \_\_\_\_\_  
subdivision ☒ \_\_\_\_\_ as submitted by  
Patrick Kennedy for the building or subdivision of  
William McDonnell & Margaret McDonald has been  
reviewed by me and is approved \_\_\_\_\_  
disapproved ☒ \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

Not enough information re: waste disposal.  
Sewer line is available.  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

\_\_\_\_\_  
WATER SUPERINTENDENT

Lyman D. Masten Jr  
\_\_\_\_\_  
SANITARY SUPERINTENDENT

November 30, 1990  
\_\_\_\_\_  
DATE



12-4-90

90-55

NOV 28 1990

Orig.

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.,  
D.O.T., O.C.H., O.C.P., D.P.W., ~~WATER~~, SEWER, HIGHWAY, REVIEW  
FORM:

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

Patrick T. Kennedy for the building or subdivision of  
Wm & Margaret M. Donnell has been

reviewed by me and is approved ☒

disapproved \_\_\_\_\_

~~If disapproved, please list reason~~ \_\_\_\_\_

There is no town water available in this area  
as yet

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

John D. D. D.

\_\_\_\_\_  
WATER SUPERINTENDENT

\_\_\_\_\_  
SANITARY SUPERINTENDENT

\_\_\_\_\_  
DATE

✓  
CC: H.E.

Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12560

(This is a two-sided form)

Date Received \_\_\_\_\_  
Meeting Date \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Action Date \_\_\_\_\_  
Fees Paid \_\_\_\_\_

APPLICATION FOR SITE PLAN, LOT-LINE CHANGE  
OR SUBDIVISION PLAN APPROVAL

1. Name of Project MCDONNELL SUBDIVISION
2. Name of Applicant WILLIAM MCDONNELL Phone 561-2063  
P.O. Box 995 WAITSFIELD, VT. 05673  
Address 1 RIVER VIEW AVENUE NEW WINDSOR NY 12560  
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record WILLIAM & MARGARET MCDONNELL Phone (302) 4966683  
Address SAME  
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Patrick T. Kennedy L.S. Phone 562-6444  
Address 219 Quassard Ave. New Windsor, NY 12560  
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street No. & Name) (Post Office) (State) (Zip)
6. Location: On the WEST South side of DEAN HILL ROAD  
(Street)  
600 feet NORTH West  
(Direction)  
of RILEY ROAD  
(Street)
7. Acreage of Parcel 2.2 ACRES 8. Zoning District R-3
9. Tax Map Designation: Section 67 Block 1 Lot 1
10. This application is for A TWO-LOT SUBDIVISION
11. Has the Zoning Board of Appeals granted any variance or a special permit concerning this property? NO.

If so, list Case No. and Name \_\_\_\_\_

55

12. List all contiguous holdings in the same ownership

Section \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the book and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT

(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

Margaret  
William M. Donnell being duly sworn, deposes and says that he resides at 1 RIVER VIEW AVE NEW WINDSOR in the County of ORANGE and State of NEW YORK and that he is (the owner in fee) of Sec. 67, BLOCK 1, LOT 1 (Official Title)

~~of the Corporation which is the Owner in fee of the premises~~ described in the foregoing application and that he has authorized to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE

Sworn before me this

Margaret L. Donnell  
(Owner's Signature)

30<sup>th</sup> day of JUNE 1988

(Applicant's Signature)

Karen C. Grube  
Notary Public

(Title)

KAREN C. GRUBE  
Notary Public, State of New York  
Qualified in Orange County  
No. 4816224

Commission Expires March 30, 1989

REV. 3-87

**PREVIOUS  
DOCUMENTS  
IN POOR  
ORIGINAL  
CONDITION**

NOV 28 1990

PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

Margaret McDonnell deposes and says that she  
resides at P.O. Box 995, Waitsfield  
(Owner's Address)

in the County of \_\_\_\_\_

and State of Vt.and that he is the owner in fee of Tax Map Sect 67, Block 1, Lot 1

which is the premises described in the foregoing application and  
that he has authorized Patrick T. Kennedy, L.S.  
to make the foregoing application as described therein.

Date: June 30, 1988

Margaret McDonnell  
(Owner's Signature)

KAREN C. GRUBE  
Notary Public, State of New York  
Qualified in Orange County  
No. 4816224  
Commission Expires March 30, 1989

Karen C. Grube  
(Witness' Signature)

# SHORT ENVIRONMENTAL ASSESSMENT FORM

Appendix B Part 617

NOV 28 1988  
90-55

Project Title: MCDONNELL SUBDIVISION

Location: DEAN HILL ROAD, NEW WINDSOR NY

ID Number: \_\_\_\_\_

## INSTRUCTIONS:

- (a) In order to answer the questions in this short EAF it is assumed that the preparer will use currently available information concerning the project and the likely impacts of the action. It is not expected that additional studies, research or other investigations will be undertaken.
- (b) If any question has been answered **Yes**, the project may have a significant effect and the full Environmental Assessment Form is necessary. **Maybe** or **Unknown** answers should be considered as **Yes** answers.
- (c) If all questions have been answered **No** it is likely that this project will not have a significant effect.
- (d) If additional space is needed to answer the questions, please use the back of the sheet or provide attachments as required.

## ENVIRONMENTAL ASSESSMENT

- |  | YES                      | NO                                  |
|--|--------------------------|-------------------------------------|
| 1. Will project result in a large physical change to the project site or physically alter more than 10 acres of land?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Will there be a major change to any unique or unusual land form found on the site?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Will project alter or have a large effect on an existing body of water?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Will project have an adverse impact on groundwater quality?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Will project significantly effect drainage flow on adjacent sites?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Will project affect any threatened or endangered plant or animal species?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Will project result in a major adverse effect on air quality?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. Will project have a major effect on the visual character of the community or scenic views or vistas known to be important to the community?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9. Will project adversely impact any site or structure of historic, prehistoric, or paleontological importance or any site designated as a Critical Environmental Area by a local agency?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10. Will project have a major adverse effect on existing or future recreational opportunities?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 11. Will project result in major traffic problems or cause a major effect to existing transportation systems?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12. Is project non-farm related and located within a certified agricultural district?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13. Will project regularly cause objectionable odors, noise, glare, vibration, or electrical disturbance as a result of the project's operation?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 14. Will project have any adverse impact on public health or safety?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Will project affect the existing community by directly causing a growth in permanent population of more than 5 percent over a one-year period or have a major negative effect on the character of the community or neighborhood? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16. Is there public controversy concerning any potential impact of the project?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

FOR AGENCY USE ONLY

Preparer's Signature: [Signature]

Date: Aug 30, 1988

Preparer's Title: Land Surveyor

Agency: \_\_\_\_\_

NOV 28 1990

TOWN OF NEW WINDSOR PLANNING BOARDMINOR SUBDIVISION CHECKLIST

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. ☒ Environmental Assessment Statement
- \*2. ☒ Proxy Statement
3. ☒ Application Fees
4. ☒ Completed Checklist

II. The following checklist items shall be incorporated on the Subdivision Plat prior to consideration of being placed on the Planning Board Agenda.

1. ☒ Name and address of Applicant.
- \*2. ☒ Name and address of Owner.
3. ☒ Subdivision name and location.
4. ☒ Tax Map Data (Section-Block-Lot).
5. ☒ Location Map at a scale of 1" = 2,000 ft.
6. ☒ Zoning table showing what is required in the particular zone and what applicant is proposing.
7. ☒ Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
8. ☒ Date of plat preparation and/or date of any plat revisions.
9. ☒ Scale the plat is drawn to and North Arrow.
10. ☒ Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.
11. ☒ Surveyor's certification.
12. ☒ Surveyor's seal and signature.

\* If applicable.

13.        Name of adjoining owners.
- \*14.        Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.
- \*15.        Flood land boundaries.
16.        A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
17.        Final metes and bounds.
18.        Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical centerline of the street.
19.        Include existing or proposed easements.
20.        Right-of-Way widths.
21.        Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
22.        Lot area (in square feet for each lot less than 2 acres).
23.        Number the lots including residual lot.
24.        Show any existing waterways.
- \*25.        A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
26.        Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
27.        Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including locations, size and depths).
28.        Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.

\* If applicable.



NOV 28 1990

29. \_\_\_\_\_ Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
30. \_\_\_\_\_ Provide "septic" system design notes as required by the Town of New Windsor.
31. \_\_\_\_\_ Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
32. \_\_\_\_\_ Indicate percentage and direction of grade.
33. \_\_\_\_\_ Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
34. \_\_\_\_\_ Provide 4" wide x 2" high box in area of title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.
35. \_\_\_\_\_ Indicate location of street or area lighting (if required).

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

**PREPARER'S ACKNOWLEDGEMENT:**

The plat for the proposed subdivision has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By:   
Licensed Professional

Date: Aug 30, 1988

NOV 28 1990

## FOR OFFICIAL USE ONLY

Permit No. \_\_\_\_\_

Fee Received \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_ County, New York

Permit Application for Development  
in  
Flood Hazard Areas

A. General instructions page 4 (Applicant to read and sign)

B. For assistance in completing or submittal of this application contact:

Ken \_\_\_\_\_, Floodplain Administrator,  
(Name)\_\_\_\_\_  
(Address)

\_\_\_\_\_, NY ( ) \_\_\_\_\_

## 1. Name and Address of Applicant

William  
(First Name)

(MI)

McDonnell  
(Last Name)Street Address: P.O. Box 999Post Office: Waitsfield State: VT Zip Code: 05673Telephone: (802) 496 - 6683

2. Name and Address of Owner (If Different)

Same  
(First Name) (MI) (Last Name)

Street Address: \_\_\_\_\_

Post Office: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: ( ) \_\_\_\_ - \_\_\_\_

3. <sup>†</sup>Engineer, Architect, Land Surveyor (If Applicable)

Patrick J Kennedy  
(First Name) (MI) (Last Name)

Street Address: 219 Quassack Ave.

Post Office: New Windsor State: NY Zip Code: 12553

Telephone: 914 562-6444

PROJECT LOCATION

Street Address:

Dean Hill Rd

Tax Map No.

67-1-1

Name of, distance and direction from nearest intersection or other landmark

West of Riley Road

Name of Waterway:

NonePROJECT DESCRIPTION (Check all applicable boxes and see Page 4, Item 3)Structures

- ☐ New Construction  
☐ Addition  
☐ Alteration  
☐ Relocation  
☐ Demolition  
☐ Replacement

Structure Type

- ☐ Residential (1-4 family)  
☐ Residential (More than 4 family)  
☐ Commercial  
☐ Industrial  
☐ Mobile Home (single lot)  
☐ Mobile Home (Park)  
☐ Bridge or Culvert

Estimated value of improvements if addition or alteration: \_\_\_\_\_

Other Development Activities

- ☐ Fill    ☐ Excavation    ☐ Mining    ☐ Drilling    ☐ Grading  
☐ Watercourse alteration    ☐ Water System    ☐ Sewer System  
☐ Subdivision (New)    ☐ Subdivision (Expansion)  
☐ Other (Explain)

CERTIFICATION

Application is hereby made for the issuance of a floodplain development permit. The applicant certifies that the above statements are true and agrees that the issuance of the permit is based on the accuracy thereof. False statements made herein are punishable under law. As a condition to the issuance of a permit, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomsoever suffered, arising out of the project described herein and agrees to indemnify and save harmless to the community from suits, actions, damages and costs of every name and description resulting from the said project. Further, the applicant agrees that the issuance of a permit is not to be interpreted as a guarantee of freedom from risk of future flooding. The applicant certifies that the premises, structure, development, etc. will not be utilized or occupied until a Certificate of Compliance has been applied for and received.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

90-55

NOV 28 1990

\_\_\_\_\_ of \_\_\_\_\_  
Flood Hazard Development Permit

Administrative Action  
Completed by Floodplain Administrator

Proposed project located in \_\_\_\_\_ "A" zone with elevation  
\_\_\_\_\_ "A" zone without elevation  
\_\_\_\_\_ Floodway  
\_\_\_\_\_ Coastal High Hazard Area (V-Zone)

Base flood elevation at site is \_\_\_\_\_

Source documents: \_\_\_\_\_

PLAN REVIEW

Elevation to which lowest floor is to be elevated \_\_\_\_\_ ft. (NGVD)  
Elevation to which structure is to be floodproofed \_\_\_\_\_ ft. (NGVD)  
Elevation to which compacted fill is to be elevated \_\_\_\_\_ ft. (NGVD)

ACTION

\_\_\_\_\_ Permit is approved, proposed development in compliance with applicable floodplain management standards.

\_\_\_\_\_ Additional information required for review. Specify: (i.e, encroachment analysis)

\_\_\_\_ Permit is conditionally granted, conditions attached.

\_\_\_\_ Permit is denied. Proposed development not in conformance with applicable floodplain management standards. Explanation attached. A variance, subject to Public Notice and Hearing, is required to continue project.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Permit Issuing Officer)

This permit is valid for a period of one year from the above date of approval.

BUILDING CONSTRUCTION DOCUMENTATION

The certified "As Built" elevation of lowest floor (including basement) of structure is \_\_\_\_\_ ft. NGVD.

Certification of registered professional engineer, land surveyor or other recognized agent, documenting these elevations is attached.

CERTIFICATE OF OCCUPANCY/COMPLIANCE

Certificate of Occupancy and/or Compliance Issued:

Date \_\_\_\_\_ Signature \_\_\_\_\_

\_\_\_\_\_ of \_\_\_\_\_  
\_\_\_\_\_ County, New York

Development in Flood Hazard Areas  
Instructions

1. Type or print in ink
2. Submit \_\_\_\_\_ copies of all papers including detailed construction plans and specifications.
3. -Furnish plans drawn to scale, showing nature, dimension and elevation of area in question; existing or proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing. Specifically the following is required: (A) NGVD (Mean Sea Level) elevation of lowest floor including basement of all structures; (B) description of alterations to any watercourse; (C) statement of techniques to be employed to meet requirements to anchor structures, use flood resistant materials and construction practices; (D) show new and replacement potable water supply and sewage systems will be constructed to minimize flood damage hazards; (E) Plans for subdivision proposal greater than 50 lots or 5 acres (whichever is least) must provide base flood elevations if they are not available; (F) Additional information as may be necessary for the floodplain administrator to evaluate application.



4. Where a non-residential structure is intended to be made watertight below the base flood level, a registered professional engineer or architect must develop and/or review structural design, specifications, and plans for the construction and certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of the local floodplain management regulations.
5. No work on the project shall be started until a permit has been issued by the floodplain administrator.
6. Applicant is hereby informed that other permits may be required to fulfill local, state and federal regulatory compliance.
7. Applicant will provide all required elevation certifications and obtain a certificate of compliance prior to any use or occupancy of any structure or other development.

Applicant's signature \_\_\_\_\_ Date \_\_\_\_\_

CERTIFICATE OF COMPLIANCE  
for  
FLOODPLAIN DEVELOPMENT

90-55

NOV 28 1990

<p>_____ of _____ County, N.Y.</p> <p>(Applicant shall fill in all pertinent information in Section A including 1 or 2)</p>	
<p><b>SECTION A</b></p> <p>Premises location _____ _____ _____</p> <p>Applicant Name &amp; Address _____ _____ _____</p> <p>Telephone No. _____</p>	<p>Permit No. _____ Variance No. _____ Date _____</p> <p>CHECK ONE</p> <p>New Building _____ Existing Building _____ Other (List) _____ _____</p>
<p>1. I certify that I have completed the above project in accordance with the Community's floodplain management regulations and have met all the requirements which were conditions of my permit. I now request completion of this Certificate of Compliance by the program administrator.</p> <p>Signed _____ Date _____</p> <p>2. I certify that I have completed the above project in accordance with conditions of variance number _____, dated _____ to the Community's floodplain management regulations and have met all requirements which were a condition of the variance. I now request completion of this certificate of compliance by the program administrator.</p> <p>Signed _____ Date _____</p>	

SECTION B (Local Administrator will complete, file, and return a copy to the applicant.)

Final Inspection Date \_\_\_\_\_ by \_\_\_\_\_

This certifies that the above described floodplain development complies with requirements of Flood Damage Prevention Local Law No. \_\_\_\_\_, or has a duly granted variance.

Signed \_\_\_\_\_  
(Local Administrator)

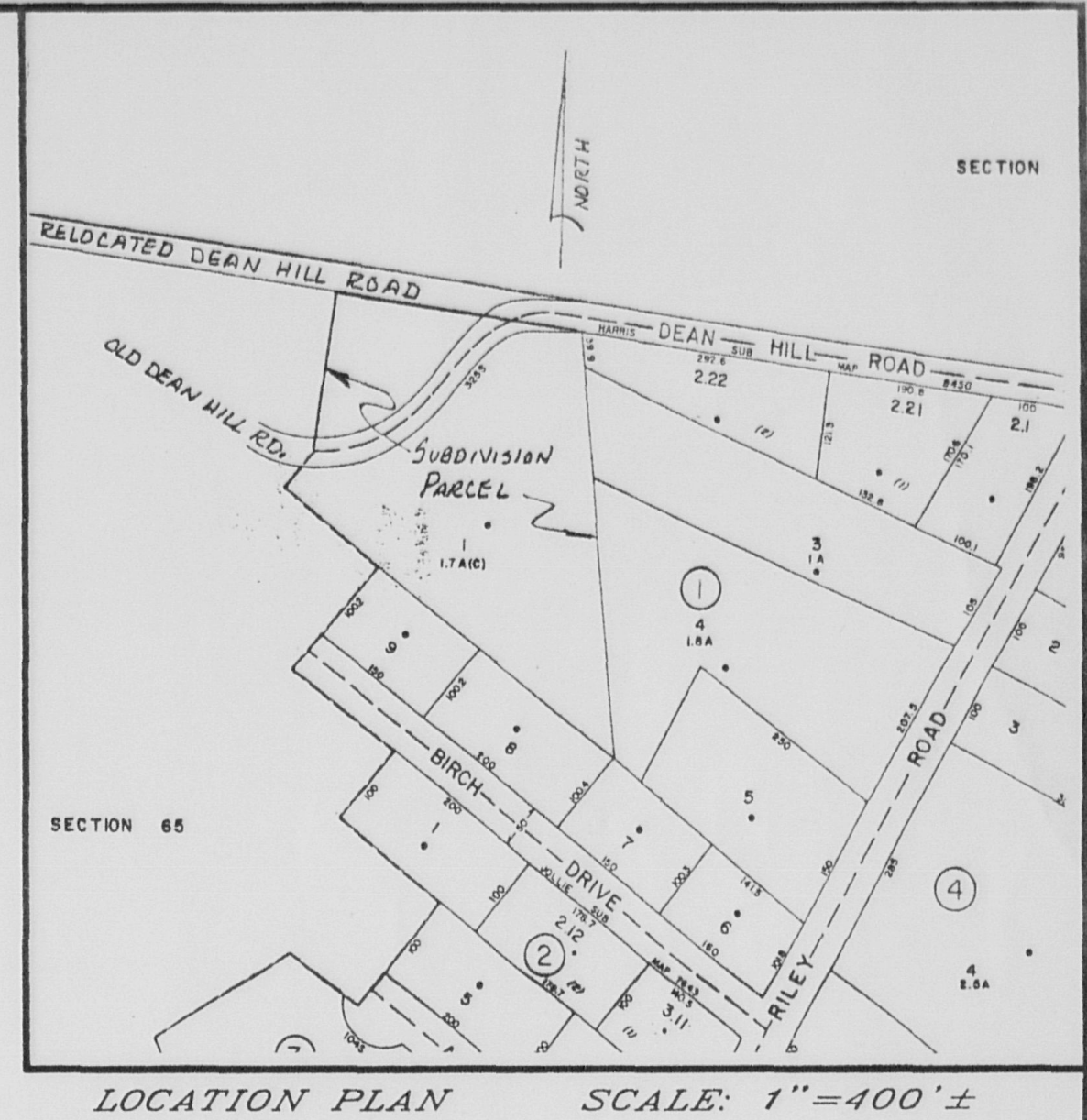
Date \_\_\_\_\_

Supporting Certifications: Floodproofing, elevation, hydraulic analysis, etc; (List).

\_\_\_\_\_

\_\_\_\_\_





#### NOTES

1. BEING A SUBDIVISION OF LANDS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAPS AS SECTION 67 BLOCK 1 LOT 1 AND A PARCEL OF LAND OWNED BY THE TOWN OF NEW WINDSOR TO BE CONVEYED TO THE SUBDIVIDER.
2. PROPERTY OWNER/APPLICANT: WILLIAM AND MARGARET McDONNELL  
1131 SHARPSHOOTERS ROAD  
MORETOWN, VERMONT 05660
3. PROPERTY ZONE: R-3.  
TOTAL NUMBER OF LOTS: TWO (2).  
TOTAL PARCEL AREA: 107,606 S.F., 2.47 ACRES.
4. PROPERTY IS SERVED BY MUNICIPAL WATER AND SEWER FACILITIES.
5. TOPOGRAPHIC INFORMATION SHOWN HEREON RESULTED FROM A FIELD SURVEY. ELEVATION DATUM TAKEN FROM THE FOREST GLEN SUBDIVISION MAP. CONTOUR INTERVAL: TWO (2) FEET.
6. THE PARCEL TO BE CONVEYED BY THE TOWN OF NEW WINDSOR CONSISTS OF LAND ACQUIRED FROM THE FOREST GLEN SUBDIVISION AND THE BED OF OLD DEAN HILL ROAD UP TO THE SOUTH LINE OF THE UTILITY EASEMENT. THE UTILITY EASEMENT IS FOR THE BENEFIT OF THE TOWN OF NEW WINDSOR.
7. CONSTRUCTION OF DRIVEWAY ACCESSSES SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE TOWN OF NEW WINDSOR HIGHWAY SUPERINTENDENT.

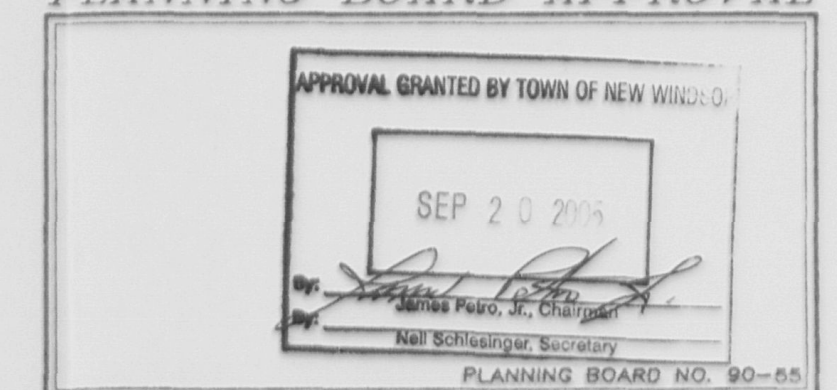
#### CERTIFICATION

I hereby certify that this plan resulted from an actual field survey of the indicated premises completed on 7 June 2004 performed in accordance with the code of practice adopted by the N.Y.S. Association of Professional Land Surveyors, Inc., and is, to the best of my knowledge and belief, correct.

CERTIFIED TO: WILLIAM McDONNELL

MARGARET McDONNELL  
TOWN OF NEW WINDSOR  
FIRST AMERICAN TITLE INSURANCE COMPANY OF NEW YORK

#### PLANNING BOARD APPROVAL



#### OWNERS CONSENT

I HAVE REVIEWED THIS PLAN AND FIND IT ACCEPTABLE

*[Signature]*

OWNER

#### R-3 ZONE (A B) BULK REQUIREMENTS

	REQUIRED	PROVIDED LOT 1	PROVIDED LOT 2
LOT AREA	21,780 S.F.	65,997 S.F. (GROSS) 65,804 S.F. (NET)	41,609 S.F. (GROSS) 34,122 S.F. (NET)
LOT WIDTH	100'	159.0'	160.5'
FRONT YARD SETBACK	35'	TO MEET CODE	120'± (MIN. 10' SOUTH OF EASEMENT)
SIDE YARD SETBACK	15'/30'	TO MEET CODE	TO MEET CODE
REAR YARD SETBACK	40'	TO MEET CODE	TO MEET CODE
STREET FRONTAGE	60'	159.0'	160.5'
BUILDING HEIGHT	35'	TO MEET CODE	TO MEET CODE
LIVABLE FLOOR AREA	1000 S.F.	TO MEET CODE	TO MEET CODE
DEVELOPMENT COVERAGE	20%	10% ±	6% ±

William B. Hildreth  
Land Surveying, P.C.  
407 SOUTH PLANK ROAD UNIT 3, NEWBURGH, N.Y. 12550  
TEL: (845) 366-6650

PLAN FOR:  
WILLIAM McDONNELL  
& MARGARET McDONNELL

REVISIONS:  
DATE DESCRIPTION  
2/24/05 REVISED PER PL. BD. APPROVAL

TOWN OF NEW WINDSOR  
ORANGE COUNTY  
NEW YORK  
Drawn: WBS  
Checked:  
Scale: 1"=50'  
Date: 9 Feb. 2005  
Job No: 04-051

MINOR SUBDIVISION